


COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: John N. STANIFORTH, *et al.*  
Serial No. 10/817,335  
Filed: April 2, 2004  
For: **PHARMACEUTICAL EXCIPIENT HAVING IMPROVED COMPRESSIBILITY**

Sir:  Transmitted herewith is a **Response to Notice to File Missing Parts of Nonprovisional Application** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☐ No fee for additional claims is required.  
☒ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST	PREVIOUSLY	PRESENT	RATE	FEE		RATE	FEE
	AFTER		PAID FOR	EXTRA					
TOTAL CLAIMS	21 Minus	20	=	1	x \$	9		x \$	18
INDEP. CLAIMS	3 Minus	3	=	0	x \$	42		x \$	84
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+	\$140		+	\$280

TOTAL: \$ OR TOTAL: \$18.00

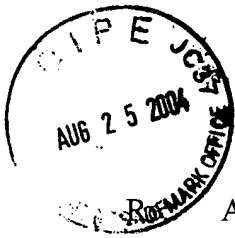
- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:  
☐ Petition for one (1) month extension under 37 C.F.R. 1.136  
☒ Other: **Copy of Notice to File Missing Parts of Nonprovisional Application**
- ☒ Check(s) in the amount of **\$918.00** is/are attached to cover:  
☒ Filing fee for additional claims under 37 C.F.R. 1.16 (**1 additional dependent claim**)  
☐ Petition fee for one (1) month extension under 37 C.F.R. 1.136  
☒ Other: **Statutory basic filing fee; late oath or declaration surcharge**
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
☒ Any patent application processing fees under 37 C.F.R. 1.17.  
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
 Leslye B. Davidson, Reg. No. 38,854  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 Seventh Avenue, 14<sup>th</sup> Floor  
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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450" on August 23, 2004.  
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 



541.1024CON2

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: John N. STANIFORTH, et al.

Serial No.: 10/817,335

Filed: April 2, 2004

For: **PHARMACEUTICAL EXCIPIENT HAVING  
IMPROVED COMPRESSIBILITY**

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

MAIL STOP: MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 23, 2004

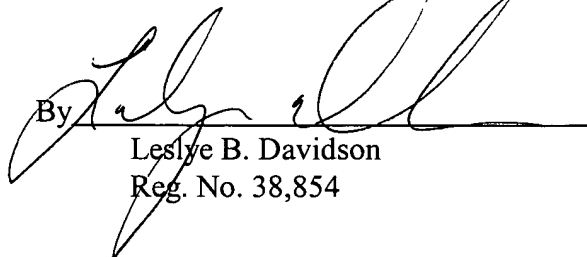
Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated June 21, 2004, a copy of which is enclosed, a check in the amount of \$918.00 is enclosed herewith, covering the basic filing fee and surcharge.

If any additional fees are deemed to be due at this time, the Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By   
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/817,335	04/02/2004	John N. Staniforth	541.1024CON2

23280  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 SEVENTH AVENUE, 14TH FLOOR  
 NEW YORK, NY 10018

CONFIRMATION NO. 1125

## FORMALITIES LETTER



\*OC000000013008138\*

Date Mailed: 06/21/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$18 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$918 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$18

08/26/2004 YPOLITE1 00000008 10817335

01 FC:1001  
 02 FC:1051  
 03 FC:1202

770.00 OP  
 130.00 OP  
 18.00 OP

**RECEIVED**  
 JUN 25 2004

DAVIDSON, DAVIDSON &amp; KAPPEL

- \$18 for 1 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE